

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

EUGENE GARCIA,

§

*Plaintiff,*

§

v.

No. 5:15-cv-852

CONN APPLIANCES, INC.

§

*Defendant.*

§  
§

**STIPULATION TO ARBITRATION**

Defendant Conn Appliances, Inc. (“Conn’s”) and Plaintiff Eugene Garcia (“Plaintiff”) (Conn’s and Plaintiff are collectively referred to as “Parties”) file this Stipulation to Arbitration and would show the Court as follows:

1. Plaintiff filed her Original Complaint on September 30, 2015 (Dkt. 1), alleging violations under the Telephone Consumer Protection Act, 47 U.S.C. § 227 *et seq.* in connection with Conn’s attempt to collect on a debt.

2. Plaintiffs purchased merchandise from Conn’s in exchange for a promise of payment. The Parties memorialized the financing terms in a retail installment contract that Plaintiff signed. The retail installment contract contains an arbitration provision that covers all claims arising from Plaintiff’s debt. Because the claims in Plaintiff’s Complaint fall within the scope of this provision, the parties have agreed to move this case to arbitration.

**IT IS THEREFORE AGREED AND STIPULATED** as follows:

- i. Plaintiff’s claims are subject to binding arbitration.
- ii. The parties request the Court order this action to arbitration and stay the proceedings pending completion of arbitration.

Dated: March 18, 2016.

Respectfully submitted,

By: /s/ Michael A. Harvey

**Michael A. Harvey**  
State Bar No. 24058352  
MUNSCH HARDT KOPF & HARR, P.C.  
Pennzoil Place  
700 Milam Street, Suite 2700  
Houston, Texas 77002  
Telephone: (713) 222-4015  
Fax: (713) 222-5868  
mharvey@munsch.com

**ATTORNEY IN CHARGE FOR  
DEFENDANT CONN APPLIANCES,  
INC.**

By: /s/ Adam T. Hill

**Adam T. Hill** (IL6293003)  
KROHN & MOSS, LTD.  
10 N. Dearborn St., 3<sup>rd</sup> Fl.  
Chicago, IL 60602  
Telephone: 312-578-9428 x241  
Fax: (866) 861-1390  
ahill@consumerlawcenter.com

**ATTORNEYS FOR PLAINTIFF  
NAKOMA SELMAN**

**OF COUNSEL:**

**Christopher M. Jordan**

State Bar No. 24087817  
MUNSCH HARDT KOPF & HARR, P.C.  
Pennzoil Place  
700 Milam Street, Suite 2700  
Houston, Texas 77002  
Telephone: (512) 391-6145  
Fax: (713) 222-5886  
cjordan@munsch.com

**Christina M. Putman**

SBN: 24013361  
FIN: 24426  
In House Counsel  
Conn's, Inc.  
4055 Technology Forest Blvd.  
Suite 210  
The Woodlands, Texas 77381

**CERTIFICATE OF SERVICE**

I hereby certify that on March 18, 2016, a true and correct copy of forgoing document was electronically filed via the Court's CM/ECF filing system and served on all counsel of record.

*/s/ Michael A. Harvey*  
Michael A. Harvey